

Patent
Attorney's Docket No. 026350-068

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Hiroshi SANO et al.) MAIL STOP AFTER FINAL
Application No.: 09/971,020) Group Art Unit: 1638
Filed: October 5, 2001) Examiner: Ashwin D. Mehta
For: THEOBROMINE SYNTHASE) Confirmation No.: 3752
POLYPEPTIDE OF COFFEE PLANT)
AND THE GENE ENCODING SAID)
POLYPEPTIDE)

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AMENDMENT AND REPLY AFTER FINAL REJECTION TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DISK TO STIC

Sir:

DATE: _____

Enclosed is an Amendment and Reply After Final Rejection for the above-identified patent application.

- ☒ A Petition for Extension of Time is also enclosed.
- ☐ A Terminal Disclaimer and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee due under 37 C.F.R. § 1.20(d) are also enclosed.
- ☒ Also enclosed is/are Substitute Sequence Listing in Computer-Readable Form and a Paper Copy: Chloe Zubieta et al., "Structural Basis for Substrate Recognition in the Salicylic Acid Carboxyl Methyltransferase Family," 15 THE PLANT CELL 1704-1716 (August 2003); Shinjiro Ogita et al., "Producing decaffeinated coffee plants," 423 NATURE 823 (June 19, 2003); Formal Drawings, Including Corrected Figures 2A-2D and 3
- ☐ Small entity status is hereby claimed.
- ☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the ☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).
- ☐ Applicant(s) requests that any previously unentered after final amendments not be entered. Continued examination is requested based on the enclosed documents identified above.
- ☐ Applicant(s) previously submitted ___, on ___, for which continued examination is requested.

- ☐ Applicant(s) requests suspension of action by the Office until at least ___, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.
- ☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also enclosed.
- ☐ No additional claim fee is required.
- ☒ An additional claim fee is required, and is calculated as shown below:

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AMENDED CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS PREVIOUSLY PAID FOR	EXTRA CLAIMS	RATE	ADD'L FEE
Total Claims	37	MINUS 34 =	3	× \$18.00 (1202) =	54.00
Independent Claims	4	MINUS 4 =	0	× \$86.00 (1201) =	0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					
If small entity status is claimed, subtract 50% of Total Claim Amendment Fee					
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$54.00

☒ A check in the amount of \$ 54.00 is enclosed for the fee due.

☐ Charge \$ _____ to Deposit Account No. 02-4800.


The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: November 19, 2003

By:


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